

1 Kenneth McRae
2 c/o 13636 Ventura Boulevard, #246
3 Sherman Oaks, California 91423
4 Telephone: (562) 237-1987
5 Facsimile: (562) 262-2700
6 kenneth.mcrae@mac.com

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
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fee paid
15 Days
Summons

7
8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

11 KENNETH A. MCRAE,

12 Plaintiff pro se,

14 vs.

15 PINNACLE CREDIT SERVICES, LLC

16 Defendant

Case No.:

GV10 2131

TRIAL BY JURY DEMANDED

DDP(Ex)

20 **PLAINTIFF'S STATEMENT OF CLAIM**

21 **STATEMENT UPON WHICH RELIEF CAN BE GRANTED**

23 COMES NOW the Plaintiff, Kenneth A. McRae.

25 At all times hereinafter mentioned, The Plaintiff was and still is a resident of Los Angeles

26 County, State of California. From here on Kenneth A. McRae, will be known as the Plaintiff.

27 Plaintiff respectfully submits Plaintiff's Statement of Claim upon Which Relief Can Be Granted.

28 Plaintiff's Statement of Claim: MCRAE

3/24/2010 2:43:08 PM Receipt #: 134530
Cashier : KPAGE [LA 1-1]
Paid by: KENNETH A MCRAE
2:CV10-02131
2010-086900 5 - Civil Filing Fee(1)
Amount : \$60.00
2:CV10-02131
2010-510000 11 - Special Fund F/F(1)
Amount : \$190.00
2:CV10-02131
2010-086400 Filing Fee - Special(1)
Amount : \$100.00
Credit card Payment : 0927 925166 / 350.0
0

1 **Statement of Claim**

2 The Defendant is a 3rd party debt collector, as such is governed under the law by the by The
3 Fair Debt Collection Practices Act (FDCPA), 15 USC Section §1601, et seq. The Defendant is
4 also governed under the law by The Fair Credit Reporting Act (FCRA), 15 USC Section §1681,
5 et seq. The State of California abides by and adheres to these laws. Thus establishing the
6 jurisdiction of this honorable court. Specifically section 813 of the FDCPA and 618 of the
7 FCRA. The Plaintiff denies ever having any contractual agreement for credit, loans, or services
8 relationship with the Defendant. *Any and all emphasis* employed herein, may be construed to
9 have been added.
10

11
12 **Even if the Plaintiff did have such an agreement, which the Plaintiff denies, the alleged**
13 **debt is not in question here. What is in question, is whether the alleged debt was properly**
14 **validated and if wrongful actions of the Defendants, in an attempt to collect and report the**
15 **alleged debt to credit reporting agencies, violated the civil rights of the Plaintiff and the law**
16 **as outlined in The Fair Debt Collection Practices Act, 15 USC Section §1601, et seq. and**
17 **The Fair Credit Reporting Act (FCRA), 15 USC Section §1681, et seq.**
18

19 On or about January 1st, 2010, the Plaintiff obtained a copy of his credit report from the major
20 credit reporting agencies (TransUnion, Equifax, Experian, and Innovis). The Plaintiff saw that
21 the Defendant is reporting negative information regarding alleged debts, allegedly owed to the
22 Defendant. On or about January 18th, 2010, the Plaintiff contacted the Defendant via the US
23 Postal Service, Certified Mail # 7008 2810 0002 1812 7829, which was received by the
24 Defendant on January 25th, 2010. In that written correspondence, the Plaintiff disputed the
25 alleged debt and demanded that the Defendant validate the alleged debt by providing strict proof
26 of the indebtedness. To date, the Plaintiff has not received any response from Defendant
27
28

pursuant to his request for validation, yet debt collection activity from the Defendant has continued. In addition, the Defendant has failed to update all of the Major Credit Reporting agency files to show that all accounts that the Defendant is reporting are in dispute.

Count I

The Defendant has violated Section 809, **Validation of debts [15 USC 1692g]** of the FDCPA by not providing Proof of the alleged debt as requested by the Plaintiff's letter of January 18th, 2010 and by continuous collection activity prior to validation of the debt.

(b) If the consumer notifies the debt collector in writing within the thirty-day period described in subsection (a) that the debt, or any portion there, is disputed, or that the consumer requests the name and address of the original creditor, the debt collector shall cease collection of the debt, or any disputed portion thereof, until the debt collector obtains verification of the debt or any copy of a judgment, or the name and address of the original creditor, and a copy of such verification or judgment, or name and address of original creditor, is mailed to the consumer by debt collector.

Plaintiff demands judgment for \$1000.00 for each of the above violations \$4000.00

Count II

The Defendant also violated the limited cease and desist sent to them via the United States Postal Service, Certified Mail # 7008 2810 0002 1812 7829, which was received by the Defendant on January 25th, 2010. The Defendant contacted the Plaintiff by phone instead of US Mail.

§ 805. Communications in connection with debt collection [15 USC 1692c]

(a) COMMUNICATIONS WITH THE CONSUMER GENERALLY. Without the prior consent of the consumer given directly to the debt collector or the express permission

1 of a court of competent jurisdiction, a debt collector may not communicate with a
2 consumer in connection with the collection of any debt –

3 (c) CEASING COMMUNICATION. If a consumer notifies a debt collector in writing
4 that the consumer refuses to pay a debt or that the consumer wishes the debt collector
5 to cease further communication with the consumer, the debt collector shall not
6 communicate further with the consumer with respect to such debt, except –

7
8 (1) to advise the consumer that the debt collector's further efforts are being
9 terminated.

10
11 (2) to notify the consumer that the debt collector or creditor may invoke specified
12 remedies which are ordinarily invoked by such debt collector or creditor; or

13 (3) where applicable, to notify the consumer that the debt collector or creditor
14 intends to invoke a specific remedy

15
16 If such notice from the consumer is made by mail, notification shall be complete upon receipt.

17 **Plaintiff demands judgment for \$1000.00 for each of the above violations \$1000.00**

18 **Count III**

19 Overshadowing. The communications from the Defendant to the Plaintiff discuss alleged
20 amount owed and solicit easy methods to tender immediate payment, which overshadows the
21 consumer warning.

22
23 1996 U.S. Dist LEXIS 22555,

24 DEBRA TYCHEWICZ, Plaintiff v. RICHARD DOBBERSTEIN d/b/a CREDIT

25 ASSOCIATES, Defendant. 96-C-0195-S UNITED STATES DISTRICT

26 COURT FOR THE WESTERN DISTRICT OF WISCONSIN

27
28 **Plaintiff demands judgment for \$1000.00 for each of the above violations \$1,000.00**

Count IV

VIOLATIONS OF THE FAIR CREDIT REPORTING ACT

According to the Fair Credit Reporting Act, § 623. Responsibilities of furnishers of information to consumer reporting agencies [15 U.S.C. § 1681s-2]

(a) Duty of Furnishers of Information to Provide Accurate Information

(1) Prohibition

(A) Reporting information with actual knowledge of errors. A person shall not furnish any information relating to a consumer to any consumer reporting agency if the person knows or has reasonable cause to believe that the information is inaccurate.

(B) Reporting information after notice and confirmation of errors. A person shall not furnish information relating to a consumer to any consumer reporting agency if

- (i) the person has been notified by the consumer, at the address specified by the person for such notices, that specific information is inaccurate; and
- (ii) the information is, in fact, inaccurate.

(2) Duty to correct and update information. A person who

(A) regularly and in the ordinary course of business furnishes information to one or more consumer reporting agencies about the person's transactions or experiences with any consumer; and

(B) has furnished to a consumer reporting agency information that the person determines is not complete or accurate, shall promptly notify the consumer reporting agency of that determination and provide to the agency and corrections

1 to that information, or any additional information, that is necessary to make the
2 information provided by the person to the agency complete and accurate, and
3 shall not thereafter furnish to the agency and of the information that remains not
4 complete and accurate.
5

6 (3) Duty to provide notice of dispute. If the completeness or accuracy of any
7 information furnished by any person to any consumer reporting agency is disputed to
8 such person by a consumer, the person may not furnish the information to any
9 consumer reporting agency without notice that such information is disputed by the
10 consumer.
11

12 (b) Duties of furnishers of information upon notice of dispute.

13 (1) In general. After receiving notice pursuant to section 611(a)(2) [§ 1681i] of a dispute
14 with regard to the completeness or accuracy of any information provided by a person
15 to a consumer reporting agency, the person shall
16

17 (A) conduct an investigation with respect to the disputed information;

18 (B) review all relevant information provided by the consumer reporting agency
19 pursuant to section 611(a)(2) [§1681i];
20

21 (C) report the results of the investigation to the consumer reporting agency; and

22 (D) if the investigation finds that the information is incomplete or inaccurate, report
23 those results to all other consumer reporting agencies to which the person
24 furnished the information and that compile and maintain files on consumers on a
25 nationwide basis.
26

27 (2) Deadline. A person shall complete all investigations, reviews, and reports required
28 under paragraph (1) regarding information provided by the person to a consumer

reporting agency, before the expiration of the period under section 611(a)(1) [§ 1681i] within which the consumer reporting agency is required to complete actions required by that section regarding that information.

Plaintiff demands judgment for \$1000.00 for each month the Defendant has failed to report the alleged account in dispute.

The information reported by Pinnacle Credit Services on the Equifax credit report of March 5th, 2010 does not reflect that the account is in dispute. According to the Fair Credit Reporting Act, § 616. Civil liability for willful noncompliance [15 U.S.C. § 1681n],

(a) In general. Any person who willfully fails to comply with any requirement imposed under this title with respect to any consumer is liable to that consumer in an amount equal to the sum of

(1) (A) any actual damages sustained by the consumer as a result of the failure or damages of not less than \$100 and not more than \$1,000,

(2) such amount of punitive damages as the court may allow; and

(3) in the case of any successful action to enforce any liability under this section, the costs of the action together with reasonable attorney's fees as determined by the court.

Plaintiff has a negative Experian score of 574, a negative Equifax score of 575, and a negative TransUnion score of 607 as of this date. Plaintiff has been denied credit or at reasonable rates due to the negligent noncompliance actions and/or inaction's of the Defendant. Plaintiff has suffered injury in the form of Defamation of character.

THEREFORE, Plaintiff requests judgment against Defendant for damages of \$150,000.00, plus cost, fees, and punitive damages as allowed by the court.

Defendant Pinnacle Credit Services has never obtained verification of the alleged account or

1 mailed/provided such verification to the Plaintiff.

2 WHEREFORE, the Defendant has violated the Fair Credit Reporting Act and the Fair Debt
3 Collection Practices Act, Plaintiff demands judgment in the amount of \$40,000.00, plus all cost
4 of this action, along with punitive damages in the amount of \$150,000.00.
5

6
7 Respectfully submitted this 22nd day of March 2010.
8
9

10
11 

12 Kenneth A. McRae, Plaintiff, pro se
13 c/o 13636 Ventura Boulevard, #246
14 Sherman Oaks, California 91423
15 kenneth.mcrae@mac.com
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CERIFICATE OF SERVICE

I, Gary Mumford, do hereby certify that I am not a party to the cause herein, and that on March 23, 2010, I served the **PLAINTIFF'S STATEMENT OF CLAIM** upon each party or counsel named below by depositing in the United States mail, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with postage thereon fully pre-paid.

PINNACLE CREDIT SERVICES, LLC
7900 Highway 7, #100
Saint Louis Park, MN 55426

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 3/23/10

Gary L. Mumford
(signature)

Gary Mumford
Gary Mumford
928 S. Nestor Ave
Compton, CA 90220

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dean D. Pregerson and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

CV10- 2131 DDP (Ex)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input checked="" type="checkbox"/>) KENNETH A. MCRAE	DEFENDANTS PINNACLE CREDIT SERVICES, LLC
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%; border: none;">Citizen of This State</td> <td style="width:10%; border: none; text-align: center;">PTF</td> <td style="width:10%; border: none; text-align: center;">DEF</td> <td style="width:40%; border: none;"></td> <td style="width:10%; border: none; text-align: center;">PTF</td> <td style="width:10%; border: none; text-align: center;">DEF</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none; text-align: center;"><input type="checkbox"/> 1</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 1</td> <td style="border: none;">Incorporated or Principal Place of Business in this State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 4</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 2</td> <td style="border: none;">Incorporated and Principal Place of Business in Another State</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 3</td> <td style="border: none;">Foreign Nation</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF	DEF		PTF	DEF		<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
Citizen of This State	PTF	DEF		PTF	DEF																				
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Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☐ No **MONEY DEMANDED IN COMPLAINT:** \$ 340,000.00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Violation of the Fair Credit Reporting and The Fair Debt Collection Practices Act. Defendant failed to validate alleged debts, failed to mark reported trade lines in dispute

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District, State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District, State, if other than California; or Foreign Country
	Minnesota

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District, State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 03/22/10

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

Kenneth A. McRae
c/o 13636 Ventura Blvd., #246
Sherman Oaks, California 91423
Telephone: (562) 237-1987
Facsimile: (562) 262-2700
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FOR OFFICE USE ONLY

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KENNETH A. MCRAE

PLAINTIFF, pro se

v.

PINNACLE CREDIT SERVICES, LLC

DEFENDANT(S).

CASE NUMBER

CV10 2131

DDP(Ex)

SUMMONS

TO: DEFENDANT(S): PINNACLE CREDIT SERVICES, LLC, 7900 HIGHWAY 7, #100,
ST. LOUIS PARK, MN 55426

A lawsuit has been filed against you

FOR OFFICE USE ONLY

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff, KENNETH A. MCRAE, whose address is 13636 VENTURA BLVD., #246, SHERMAN OAKS, CALIFORNIA 91423. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: 3-24-10

Clerk, U.S. District Court

By: _____

SEAL

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

FOR OFFICE USE ONLY